

JAN 27 2003

1723  
Atty. Dkt. No. 023829-0129

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Stark et al.  
Title: PROTEIN SUPPLEMENTED  
FROZEN DESSERT  
COMPOSITIONS  
Appl. No.: 09/883,849  
Filing Date: 06/18/2001  
Examiner: Not yet assigned  
Art Unit: 1723

Commissioner for Patents  
Washington, D.C. 20231

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on the date below.

Chris Escavaille

(Printed Name)

Chris Escavaille

(Signature)

January 20, 2003

(Date of Deposit)

**TRANSMITTAL**

Transmitted herewith are the following documents for the above-identified application.

- [ X ] Supplemental Information Disclosure Statement (2 pages).
- [ X ] Form PTO-1449 and 2 references.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date January 20, 2003

By M. Reed Staheli

FOLEY & LARDNER  
Customer Number: 26371



26371

PATENT TRADEMARK OFFICE

Telephone: (414) 297-5765  
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M. Reed Staheli  
Attorney for Applicant  
Registration No. 47,959

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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Commissioner for Patents  
Washington, D.C. 20231

Submitted herewith on Form PTO-1449 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

RELEVANCE OF EACH DOCUMENT

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO-1449 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447.

Respectfully submitted,

Date January 20, 2003

By 

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Customer Number: 26371



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